GOVERNMENT OF ANDHRA PRDESH
ABSTRACT

Public Services – Forest Department – Kum. K. Spoorthi – Appointment as Forest Range Officer, by direct recruitment in available existing vacancies of Forest Range Officers in Zone.IV in relaxation of Rules – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.V) DEPARTMENT

G.O.MS.No. 97 Dated: 18-12-2017

Read the following:-

1) G.O.Ms.No.424, General Administration (Ser.A) Department, dated 15.06.2007.
2) G.O.Ms.No.159, Environment, Forests, Science & Technology (For.V) Department, dated 08.12.2008.
3) Orders of Hon'ble A.P. Administrative Tribunal in O.A.No.4045 of 2013 with C.A. No. 2111/2013 and VMA No.2245/2013, dated 17.12.2015.
4) Representation of Kum. K. Spoorthi, dated 19.01.2016.
5) From the Principal Secretary, Andhra Pradesh Public Service Commission, Letter No. 121/RS.25/2016, dated 20.02.2016.
6) Memo.No.567/Sec.V/2016, Environment, Forests, Science & Technology (Sec.V) Department, dated 02.08.2016.
7) From the Principal Secretary, Andhra Pradesh Public Service Commission, Letter No. 121/RS.25/2016, dated 23.08.2016.
8) Orders of Hon'ble A.P. Administrative Tribunal in C.A.No.245 of 2016 in O.A.No. 4045 of 2013, dated 29.08.2016 filed by Smt. K. Spoorthi.
9) Representation of Smt. K. Spoorthi, dated 27.06.2017.
10) Letter No.567/Sec.V/2016, Environment, Forests, Science & Technology (Sec.V) Department, dated 20.09.2017.
11) From the Secretary, Andhra Pradesh Public Service Commission, Letter No. 121/RS-21/25/2016, dated 09.10.2017.
12) From the Principal Chief Conservator of Forests (HoFF), A.P., Letter Rc.No. 1654/2016/HR.1, dated 03.11.2017.

*****

ORDER:

The Andhra Pradesh Public Service Commission issued Notification No.52/2011 for filling up of 90 vacancies of Forest Range officers in A.P. Forest Service. As per the orders issued in G.O. second read above, the qualification prescribed for the post of Forest Range Officer, by direct recruitment, is a Bachelors Degree of a University in the subjects among others "Computer Applications / Computer Science Engineering (Agriculture / Chemical / Civil / Computer / Electrical / Electronics / Mechanical)".

2. Kum. K. Spoorthi applied for the post. In her application against qualification she wrote "Computer Examination" whereas she passed "Information Technology". She has qualified in written examination and walking test. She was one among the candidates shortlisted by the Commission and called for verification of certificates. During the verification of certificates, it was found that she possessed I.T. qualification and the same was not found in G.O. second read above. Therefore, she was not selected by the Andhra Pradesh Public Service Commission.

(P.T.O.)

3. Smt. K. Spoorthi filed O.A.No.4045 of 2013 in APAT making the Secretary, APPSC as first respondent, Government in Environment, Forests, Science & Technology Department and Principal Chief Conservator of Forests (HoFF), Andhra Pradesh as the second and third respondents respectively. In its interim order dated 07.06.2013, the APAT directed not to fill up one post of Forest Range Officer in Zone.IV, initially for a limited period and subsequently, until further orders. However, the APPSC sent list of selected candidates and the appointing authority has issued appointment orders.

4.. The individual has filed C.A.No.2111 of 2013 and VMA No. 2245 of 2013 in O.A.No.4045 of 2013. In its order dated 17.12.2015, the Hon'ble APAT observed that based on subjects studied by the applicant and degree possessed by her in I.T. which contains computer applications and computer science, the applicant is entitled to be treated as possessing requisite qualification as per the Notification and thereby allowed the O.A. with a direction to the respondents to consider the case of the applicant in the selection process in pursuance of the Notification No.52/2011 dated 31.12.2011 issued by the 1st respondent Commission by calling her for interview and to subject her to the further process of selection based on the interview. The entire procedure shall be completed within a period of eight weeks from the date of receipt of a copy of the said order. The C.A. was closed and VMA was dismissed.

5. In the letter fifth read above, the Principal Secretary, APPSC has stated that the copy of interim orders of APAT wherein the Tribunal directed not to fill up one post of Forest Range Officer in Zone.IV was not received in Section and hence, the selection was finalized on 17.06.2013, without keeping one post vacant in Zone.IV and the Unit list was sent to the Unit Officer on 19.6.2016. There is no interview for the said post. As verified from the selection status, the applicant has secured 369 marks in and the last candidate selected in Zone.IV under BC-B (W) has secured 352 marks. After completion of the procedure of appointments, the Unit Officer has sent 12 non-joining vacancies along with 95 fresh vacancies to the Commission for re-notification in the composite State of A.P. However, the vacancies are not yet notified due to bifurcation of the State. Kum. K. Spoorthi is not fitting in any one of the non-joining vacancies with her marks, in her zone and category.

6. While the issue is under examination, Kum. K. Spoorthi has filed another C.A. No.245 of 2016 in O.A.No.4045 of 2013. The Tribunal issued notices to the respondents.

7. The Principal Secretary, Andhra Pradesh Public Service Commission has requested to appoint the candidate, Smt. K. Spoorthi as FRO in any available vacancy in Zone.IV and de-notify the said vacancy in the next recruitment. This is the only option available to avoid contempt of court. The Secretary, APPSC has sent the Unit list & PEF form of the candidate.

8. After careful examination of the matter, Government have decided to appoint Smt. K. Spoorthi as Forest Range Officer in any available vacancy in Zone.IV and to de-notify the said vacancy in the next recruitment, in relaxation of orders issued in the G.O. first read above, subject to the following conditions:-

a) That the proposed appointment of the individual is against only a vacant post in the Zone which has not been notified for direct recruitment as on the date.

(continued on page….3)

b) The competent authority shall made necessary entries in the relevant watch registers so that the post will not be notified for direct recruitment in future.

c) The proposed appointment is not in a vacancy meant for special representation in favour of SCs/STs.

9. Accordingly, Government hereby order that Smt. K. Spoorthi, be appointed as Forest Range Officer in Zone-IV and denotify the same in the next recruitment, in relaxation of orders issued in the G.O. first read above, subject to the conditions mentioned in para-8 above.

10. The Principal Chief Conservator of Forests (HoFF), A.P. shall take further action and report compliance.

11. This order issues with the concurrence of Finance (HR.I) Department, vide their U.O.No.30028/49/2016, dated 09.11.2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur.
Copy to:
Smt. K. Spoorthi, H.No. 9-1-143/1, Bagath Nagar, Near Sub Station, Karimnagar.
The Secretary, A.P.P.S.C., Prathibha Bhavan, Nampalli, Hyderabad.
The Government Pleader for Forests, A.P.A.T., Hyderabad.
The Finance (HR-I) Department.
The Director of Treasuries & Accounts, Andhra Pradesh, Vijayawada.
The Accountant General, Andhra Pradesh, Hyderabad.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER